

03-128
Ex-Parte

Catherine Butler

From: Jeffrey Steinberg
Sent: Friday, March 26, 2004 10:28 AM
To: Catherine Butler
Subject: FW: Proposed Language for Industrial & Commercial Areas Categorical Exclusions

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Importance: High



Industrial &
Commercial Area P..

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MAR 25 2004

Federal Communications Commission
Office of the Secretary

-----Original Message-----

From: Andrea Williams [mailto:AWilliams@ctia.org]
Sent: Thursday, March 04, 2004 10:45 AM
To: Nancy Schamu (E-mail); Charlene Vaughn (E-mail)
Cc: Jeffrey Steinberg; Andrea Williams; Diane Cornell
Subject: Proposed Language for Industrial & Commercial Areas Categorical Exclusions
Importance: High

<<Industrial & Commercial Area Proposed Language.doc>>
Dear Nancy & Charlene:

Attached for your review and consideration is CTIA's proposed language for the industrial and commercial area categorical exclusions. I appreciate your willingness to revisit this issue and seriously consider the proposed language. Charlene, I hope you have received the detailed voice mail message that I left for you indicating that I would provide proposed language in response to ACHP's invitation to consider industry's view on the rights of way and industrial/commercial areas categorical exclusions.

You will find that the language is similar to Sprint's proposal re: ROW corridors, except it also addresses those circumstances in which a government may not have officially designated industrial and commercial areas for siting communications towers, but the areas are so clustered with industrial and commercial buildings and structures, e.g., shopping mall, industrial plants, etc., that a tower or antenna would not have a significant adverse effect.

Please give me a call after you have had an opportunity to review so that we can discuss. You can reach me on my cellphone at (202) 255-6810.

Thanks again!

Best regards,

Andrea
Andrea D. Williams
Assistant General Counsel
Cellular Telecommunications & Internet Association
(202) 736-3215 (voice) (202) 785-8203 (facsimile)
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Industrial & Commercial Areas: State Historic Preservation Officer consultation is not required for Facilities that are constructed within ____ feet of an industrial or commercial area designated by a government for the location of communications towers or if not designated by a government, an area in which similar industrial or commercial buildings or structures are clustered whether or not such area has been officially designated as an industrial or commercial area, provided:

1. The proposed Facility is not substantially larger than already existing structures in the industrial or commercial area. (Substantially larger will track the definition of "substantial increase" as defined in the Collocation Agreement)
2. The proposed Facility does not rest on a portion of the industrial or commercial area that crosses an historic property or is within an historic district.

Tribal consultation is still required for Facilities that are constructed within ____ feet of an industrial or commercial area as defined above.